

3-19-02  
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U.S. DISTRICT COURT  
DISTRICT OF IDAHO  
FILED AT \_\_\_\_\_ M  
MAR 21 2002  
By \_\_\_\_\_ Deputy

Attorneys for Trustee, Bernie R. Rakozy

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF IDAHO

In Re:  
ASA WILLET "BILL" ROARK,  
  
Debtor.

Case No. 01-02073

ORDER APPROVING SALE  
OF REAL PROPERTY

The Trustee's Motion for Approval for Sale of Real Property was heard by this court on January 22, 2002. No objections were filed or heard at that time.

Pursuant to 11 USC § 363(b)(1) and (f) and for good cause appearing, the Trustee's Motion is approved. The Trustee is authorized to sell the property, located at 7242 Gary Lane, Boise, Idaho and legally described as shown on the attached Exhibit A, for the amount of \$69,000. From the proceeds at closing, the closing agent is authorized to pay the first position Deed of Trust in favor of Washington Mutual in the approximate amount of \$25,000 and the claim of lien to St. Lukes Regional Medical Center in the amount of \$25,538.56. The closing agent is further authorized to pay the property taxes due along with the closing costs agreed and allocated to the Seller/Trustee.

Further, the closing agent is authorized to pay a 6 percent realtor's commission of \$4,140 to Nora Edward of Prudential Jensen Real Estate, which fee is found to be reasonable and customary.

The above sale shall be without warranty of any kind from the Trustee/Estate and shall be conveyed by a Trustee's Deed. Said sale shall be free and clear of all liens and encumbrances except for easements and CC&R's of record.

Dated this 20<sup>th</sup> day of March, 2002.

  
UNITED STATES BANKRUPTCY JUDGE

**CLERK'S CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 21 day of March, 2002, a true and correct copy of the foregoing document was served by first-class mail, postage prepaid, and addressed to; by fax transmission to; by overnight delivery to; or by personally delivering to or leaving with a person in charge of the office as indicated below:

Jed W. Manwaring  
P. O. Box 959  
Boise, Idaho 83701

☐ U.S. Mail  
☐ FAX  
☐ Overnight Delivery  
☐ Hand Delivery

J. Bart Green, III  
929 E. 1<sup>st</sup> St. #2  
Meridian, ID 83642

☐ U.S. Mail  
☐ FAX  
☐ Overnight Delivery  
☐ Hand Delivery

Bernie R. Rakozy  
POB 1738  
Boise, ID 83701

☐ U.S. Mail  
☐ FAX  
☐ Overnight Delivery  
☐ Hand Delivery

Nora Edward  
Prudential Jensen Real Estate  
1420 W. Washington St.  
Boise, ID 83702

☐ U.S. Mail  
☐ FAX  
☐ Overnight Delivery  
☐ Hand Delivery

  
Deputy Clerk

## LEGAL DESCRIPTION

Order Number: 00009322

BEGINNING AT THE SOUTHWEST CORNER OF THE NORTH HALF OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER, SECTION 13, TOWNSHIP 4 NORTH, RANGE 1 EAST, BOISE MERIDIAN,  
THENCE NORTH 119 FEET;  
THENCE EAST 232 FEET;  
THENCE SOUTH 119 FEET;  
THENCE WEST 232 FEET TO THE TRUE POINT OF BEGINNING.

TOGETHER WITH THAT PORTION OF THE FOLLOWING DESCRIBED PROPERTY WHICH LIES BETWEEN THE SOUTHERLY EXTENSION OF THE EASTERLY AND WESTERLY LINES OF THE ABOVE DESCRIBED MAIN TRACT:  
BEGINNING THE THE NORTHWEST CORNER OF THE WEST ONE-HALF OF THE SOUTH ONE-HALF OF THE SOUTH ONE-HALF OF THE SOUTHWEST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF SECTION 13, TOWNSHIP 4 NORTH, RANGE 1 EAST, BOISE MERIDIAN, AND RUNNING  
THENCE SOUTH ALONG THE WEST LINE OF SAID WEST ONE-HALF A DISTANCE OF 10.0 FEET TO A POINT;  
THENCE IN A NORTHEASTERLY DIRECTION TO THE NORTHEAST CORNER OF SAID WEST ONE-HALF;  
THENCE WEST ALONG THE NORTH BOUNDARY LINE OF SAID WEST ONE-HALF TO THE PLACE OF BEGINNING, ALL IN ADA COUNTY, STATE OF IDAHO.

EXCEPTING THEREFROM:

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 13, TOWNSHIP 4 NORTH, RANGE 1 EAST BOISE MERIDIAN, ADA COUNTY, IDAHO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER; THENCE NORTH  $0^{\circ}10'20''$  WEST ALONG THE WESTERLY BOUNDARY OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER A DISTANCE OF 155.15 FEET TO THE POINT OF BEGINNING;  
THENCE CONTINUING NORTH  $0^{\circ}10'20''$  WEST A DISTANCE OF 129.00 FEET TO A POINT;  
THENCE LEAVING SAID WESTERLY BOUNDARY NORTH  $89^{\circ}33'57''$  EAST A DISTANCE OF 14.57 FEET TO A POINT 33.00 FEET EASTERLY OF THE CENTERLINE OF GARY LANE AS SHOWN ON THE RIGHT-OF-WAY PLANS ON FILE IN THE OFFICE OF THE ADA COUNTY HIGHWAY DISTRICT;  
THENCE SOUTH  $0^{\circ}37'00''$  EAST A DISTANCE OF 128.76 FEET TO A POINT 33.00 FEET EASTERLY OF SAID CENTERLINE;  
THENCE SOUTH  $88^{\circ}41'39''$  WEST A DISTANCE OF 15.57 FEET TO THE POINT OF BEGINNING.

EXHIBIT

A